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#9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. 09/817,901
Filing Date 03/26/01
Inventorship Olson et al.
Applicant Microsoft Corporation
Attorney's Docket No. MS1-788US
Title: Methods, Systems and Media Players for Rendering Different Media Types

RENEWED PETITION UNDER 37 C.F.R. 1.47(a)

Applicant previously filed a petition on March 25, 2002, indicating that a joint inventor, Mr. Chris Feller, had indicated that he did not intend to sign the oath or declaration in this application. Subsequently, a Decision Refusing Status was issued by the Patent Office because, *inter alia*, it had not been demonstrated that there had been a bona fide attempt to provide the inventor with a copy of the application papers. In addition, the declaration was found to be deficient in that it did not reflect the proper inventive entity.

In accordance with the statements below, the accompanying email copy, and the new oath or declaration, Applicant respectfully requests reconsideration of the Decision Refusing Status.

1. Attached to this Renewed Petition is a copy of an email thread between Applicant and the non-signing inventor, Chris Feller.

a. On November 7, 2001, Jane Stafford, an employee in Applicant's legal department, sent Chris Feller an email notification having attached the subject patent application bearing attorney docket number ms1-788.

b. On November 7, 2001, Mr. Feller responded that the "applications look good" further confirming the fact that he had, indeed, received the application in question and reviewed it.

11/08/2002 RND/DAF1 00000107 120769 09817901

01 FC:1460 130.00 CH

1 c. Later on November 8, 2001, Mr. Feller responded that "[u]pon further
2 reflection, I'm going to decline signing the patent application. You can
3 remove my name from them."

4
5 Hence, in view of the above statements and accompanying email thread,
6 Applicant made an attempt to provide the non-signing inventor with a copy of the
7 patent application. That copy was sent via email and received by the inventor.
8 The inventor then subsequently responded that he would not sign the application.

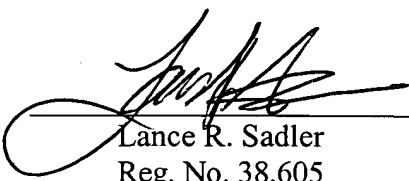
9 In addition, accompanying this Renewed Petition is a new Declaration in
10 compliance with 37 CFR 1.63 and 1.67, which includes the citizenship, residence,
11 and mailing address for each inventor. The declaration is also signed by each of
12 the signing inventors on behalf of themselves and the non-signing inventor.

13
14 I hereby declare that the statements made herein of my own knowledge are true.

15 It is respectfully requested that this Renewed Petition under 37 C.F.R. 1.47(a) be
16 granted.

17
18 Respectfully submitted,

19
20
21 Date: 11/6/2002


Lance R. Sadler
Reg. No. 38,605

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24 421 W. Riverside Avenue, Suite 500
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Dana Calhoun**From:** Jane Stafford (LCA) [janestaf@microsoft.com]**Sent:** Monday, January 14, 2002 10:59 AM**To:** Dana Calhoun**Subject:** FW: Patent Applications 94188.1 150644.1

-----Original Message-----

From: Chris Feller [mailto:brataccas@mac.com]**Sent:** Wednesday, November 07, 2001 11:39 PM**To:** Jane Stafford (LCA)**Subject:** Re: Patent Applications 94188.1 150644.1 150649.1

Hi Jane,

The patent applications look good. My mailing address is as follows:

15600 NE 8th St. Suite B1-537

Bellevue WA, 98008

I am a citizen of the United States.

Any day during the week works well for me. I work from home a few blocks away from campus, so there really is no time constraint. Tomorrow afternoon or Friday afternoon would be great. If there is anything else you need, please let me know!

Chris

On Wednesday, November 7, 2001, at 04:29 PM, Jane Stafford (LCA) wrote:

Hi Chris. Attached are the two (sorry, I said three on the phone) patent applications on which you were listed as an inventor. If you could provide me with your mailing address and your citizenship I can complete this information on the formal papers prior to your signing. I am not sure if you've been on applications w/Microsoft before, but a VERY brief description of the formal papers: Each application has two papers to be signed, The Assignment and The Declaration. Essentially (although you will still read prior to signing) The Assignment assigns your invention to Microsoft, while The Declaration declares you as an inventor.

Please let me know what times will work for you. I can leave the papers with our receptionist if I am not here. Let me know if you have any questions.

11/6/2002

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Thanks.

Jane Stafford

Patent Group 113/1118

425.705.5314



E-V188390734

Dana Calhoun

From: Jane Stafford (LCA) [janestaf@microsoft.com]

Sent: Monday, January 14, 2002 10:59 AM

To: Dana Calhoun

Subject: FW: Patent Applications 94188.1 150644.1

-----Original Message-----

From: Chris Feller [mailto:brataccas@mac.com]

Sent: Thursday, November 08, 2001 7:50 AM

To: Jane Stafford (LCA)

Subject: Re: Patent Applications 94188.1 150644.1 150649.1

Hi Jane,

Please disregard my last mail. Upon further reflection, I'm going to decline signing the patent application. You can remove my name from them.

Thanks!

Chris

On Wednesday, November 7, 2001, at 04:29 PM, Jane Stafford (LCA) wrote:

Hi Chris. Attached are the two (sorry, I said three on the phone) patent applications on which you were listed as an inventor. If you could provide me with your mailing address and your citizenship I can complete this information on the formal papers prior to your signing. I am not sure if you've been on applications w/Microsoft before, but a VERY brief description of the formal papers: Each application has two papers to be signed, The Assignment and The Declaration. Essentially (although you will still read prior to signing) The Assignment assigns your invention to Microsoft, while The Declaration declares you as an inventor.

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Thanks.

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OFFICE OF PETITIONS

11/6/2002

Jane Stafford

Patent Group 113/1118

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